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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09 413,867      | 10/07/1999  | TAKAO ISHIKAWA       | 503.37677X00        | 2522             |

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EXAMINER

BERCK, KENNETH A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2879

DATE MAILED: 04/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/413.867

Applicant(s)

TAKAO ISHHIKAWA

Examiner

Ken A Berck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 03 December 2002.
- 2a) ☐ This action is **FINAL**                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1, 2, 11, 13 and 18 is/are allowed.
- 6) ☐ Claim(s) 3, 5-7, 10, 12, 14, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) 4, 8-9, 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on 02 January 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \*   c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other

### DETAILED ACTION

Amendment C, filed Dec 3, 2002 has been entered.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,5-7,10,12,14,16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al. (US 5,942,319) in view of (GB 2250133A).

Regarding claims 3, 6 and 10, Oyama discloses a display apparatus with a laminated film composed of at least three layers comprising a protective film, a conductive film, and an absorption film at a surface of a display plane, with the absorption film arranged at a position closer to the display plane than the conductive film (Column 5, lines 30-33, lines 35-40).

Regarding claim 5, Oyama discloses the conductive film is composed of at least one metal selected from the group consisting of Ag, Pd, Pt, Cu, Cr, and Au (Column 6, lines 10-20).

Regarding claim 7, Oyama discloses the first layer in the order from an outer surface of the laminated film is the protective layer composed mainly of SiO<sub>2</sub>, a second layer is the conductive layer composed of at least one metal selected from the group consisting of Ag, Pd, Pt, Cu, Cr, and Au, and a third layer is the absorption film.

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Regarding claim 12, Oyama discloses the display apparatus is a plasma display device (column 7, lines 19-27).

Regarding claim 14 and 16-17, Oyama discloses the film is provided on an outer surface of the display plane.

Oyama discloses all of the above claim limitations but fails to clearly point out the absorption film containing a coloring matter of at least one selected from the group consisting of dyes and pigments having an absorption at 450 nm, 570 nm and 650 nm.

133' discloses an absorption film containing a coloring matter of at least one selected from the group consisting of dyes and pigments having an absorption at 450 nm, 570 nm and 650 nm in order to improve the emitting tint.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display apparatus of Oyama with the absorption film containing a coloring matter of at least one selected from the group consisting of dyes and pigments having an absorption at 450 nm, 570 nm and 650 nm in order to improve the emitting tint, as taught by 133'.

***Allowable Subject Matter***

Claims 1-2, 11, 13 and 18 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 11, the prior art of record neither shows nor suggests a display apparatus with a film on a display plane having a luminous transmittance equal to or less than 85%, a flattened reflectance curve, of which

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absolute values of differential values in a visible light region of 380 nm – 780 nm are equal to or less than 2, in combination with other claim limitations.

Regarding claims 2, 13 and 18, dependence on a prior claim and the reasons stated above.

Claims 4, 8, 9 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 4, the prior art of record neither shows nor suggests a display apparatus with a film on a display plane having a luminous transmittance equal to or less than 85%, a flattened reflectance curve, of which absolute values of differential values in a visible light region of 380 nm – 780 nm are equal to or less than 2, in combination with other claim limitations.

Regarding claims 15, dependence on a prior claim and the reasons stated above.

Regarding claim 8, the prior art of record neither shows nor suggests a display apparatus with a film having a luminous transmittance equal to or less than 85%, a luminous reflectance equal to or less than 2% and a resistance equal to or less than 1000, in combination with other claim limitations.

Regarding claim 9, the prior art of record neither shows nor suggests a display apparatus with a film having an absorption equal to or less than 75% at approximately 450 nm, an absorption equal to or less than 65% at approximately

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570 nm, an absorption equal to or less than 75% at approximately 650 nm, a luminous reflectance equal to or less than 1%, a resistance equal to or less than 1000, in combination with other claim limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

Applicant argues that the functional recitation of the claims recite the properties of the film. Examiner points out that the claims fail to further limit the structure of the device, and only list the functional properties of the film. When the structure and material of the device of the claimed invention is listed in the prior art, it should inherently possess the functional properties listed.

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### Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken A Berck whose telephone number is (703)305-7984. The examiner can normally be reached on Mon-Fri 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703)305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7382 for regular communications and (703)308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

  
VIP PATEL  
PRIMARY EXAMINER

kab  
April 2, 2003